

May 2, 2006

The Walton County Board of Commissioners held its regular monthly meeting on Tuesday, May 2, 2006 at 6:00 p.m. in the Board Room of the Walton County Government Building, 303 South Hammond Drive, Suite 330, Monroe, Ga. Those present included Chairman Kevin Little, Commissioners Clinton Ayers, Michael Turner, Vickie Gasaway, Lamar Palmer, Gerald Atha and John Robinson, County Clerk Leta Talbird, County Attorney Kirby Atkinson, Personnel Director Karen Fraser, Finance Officer Christi Pickens and Charna Parker of the Planning & Development Office. A list of citizens and other employees in attendance at this meeting is on file in the auxiliary file under this meeting date.

Chairman Little called the meeting to order at 6:00 p.m. and led those present in the Pledge of Allegiance. Commissioner Ayers opened the meeting in prayer.

Commissioner Robinson made a motion to adopt the agenda as presented, with requested additions. Commissioner Turner seconded the motion. All voted in favor.

Commissioner Turner made a motion, seconded by Commissioner Gasaway, to approve the minutes of the March 30, 2006 and April 4, 2006 meetings. All voted in favor.

The Board considered a Planning Commission recommendation to approve a Conditional Use for a church for Glenwood Hill Bible Church. The effected property, owned by R. Allan & Debbie Swink, is located at 2350 Ga. Hwy. 138 and is further identified on WC Tax Map C 76, Parcel 27. Chairman Little opened the public hearing on the matter. Frank Wilkerson, Pastor of Glenwood Hill Bible Church, came before the Board in support of the request. There was no one present in opposition. Chairman Little closed the public hearing on the matter. Commissioner Gasaway made a motion, seconded by Commissioner Turner, to approve the Conditional Use. All voted in favor.

The Board considered a Planning Commission recommendation to approve a Conditional Use to allow a gated private drive community and waive curb and gutter requirements for Bradley Gin Partners, LLC. The effected property, owned by Carrol Dukes, is located at 2760 Bradley Gin Road and is further identified on WC Tax Map C 161, Parcels 50 & 50B. Chairman Little opened the public hearing on the matter. Carrol Dukes came before the Board in support of the request. There was no one present in opposition. Chairman Little closed the public hearing on the matter. Commissioner

Palmer made a motion, seconded by Commissioner Atha, to approve the Conditional Use and waive curb and gutter requirements. All voted in favor.

The Board considered a Planning Commission recommendation to approve a rezone from A-1 to R-1 with a variance to reduce lot width for Outland Enterprises. The effected property, owned by Dianne T. Malcom, is located on Snows Mill Road and is further identified on WC Tax Map C 165, Parcel 38. The purpose of the request is to rezone 3.31 acres for two residential lots. Chairman Little opened the public hearing on the matter. W. H. Britt came before the Board in support of the request. Mr. Britt asked the Board to eliminate a condition recommended by the Planning Commission that only one driveway could be utilized to access both parcels. There was no one present in opposition. Chairman Little closed the public hearing on the matter. Commissioner Palmer made a motion to approve the rezone with two driveways. Commissioner Robinson seconded the motion; voted and carried unanimously.

The Board considered a Planning Commission recommendation to approve a rezone from A-1 to R-1 with 2,400 Overlay on 18.70 acres located on Giles Road and Thompson Mill Road for Central Georgia Development. Chairman Little stated that the applicant requested that the matter be tabled until the June meeting to have more time to address some of the concerns of adjacent landowners. Dan Ferguson was present to oppose the rezone. Commissioner Ayers made a motion, seconded by Commissioner Gasaway, to table a decision on the rezone until the June 6, 2006 meeting. All voted in favor.

The Board considered a Planning Commission recommendation to approve a rezone from A-1 to R-1 with Open Space Conservation Overlay for Jeff Tucker. The effected property, owned by Louise Casper, is located on Bullock Bridge Road and is further identified on WC Tax Map C 59, Parcel 90. The purpose of the request is to rezone 19.4 acres for a single-family residential subdivision. Chairman Little opened the public hearing on the matter. Attorney Paul Rosenthal, representing the applicant, came before the Board in support of the rezone. Mr. Rosenthal referenced a Constitutional rights letter dated March 1, 2006 on file with the Planning & Development Office. He stated that a letter dated April 25, 2006 was submitted to the Planning & Development Office requesting a modification to the rezone request from Open Space Conservation Overlay to Greenspace Overlay. Charna Parker of the Planning & Development Office presented a revised plat showing the proposed change. There was no one present in opposition. Chairman Little closed the public hearing on the matter. Commissioner Ayers made a motion to approve the rezone changing the part of the property adjoining the river to be accepted into the greenspace program and the rest to be open space maintained by the homeowners association. Commissioner Turner seconded the motion. All voted in favor.

The Board considered a Planning Commission recommendation to approve a rezone from A-1 to R-1 for two residential lots on 2.78 acres for Stillwater Communities, Inc. The effected property, owned by Jan S. Roe, is located at 5500 Ga. Hwy 20 & Pointer Road and is further identified on WC Tax Map C 7, Parcel 48 Split. Chairman Little opened the public hearing on the matter. Attorney Paul Rosenthal, representing the applicant, came before the Board in support of the rezone. Mr. Rosenthal referenced a March 1, 2006 Constitutional rights letter placed on file in the Planning & Development Office. There was no one present in opposition. Chairman Little closed the public hearing on the matter. Commissioner Turner made a motion to approve the rezone. Commissioner Ayers seconded the motion; voted and carried unanimously.

The Board considered a Planning Commission recommendation to approve a rezone from A-1 to R-1 for residential lots on 4.38 acres for Vinyls Final, Inc. The effected property, owned by Brandon Cole, is located on Johnson Road and is further identified on WC Tax Map C 24, Parcels 37 & 43. Chairman Little opened the public hearing on the matter. Attorney John Spence, representing the applicant, came before the Board in support of the rezone. Mr. Spence presented a Constitutional rights letter for the record. Mr. Spence presented pictures of homes in the area and pictures of the type of homes the applicant plans to build. Mr. Spence stated that the applicant is willing to build homes with 2,400 minimum square feet. There was no one present in opposition. Chairman Little closed the public hearing on the matter. Commissioner Turner made a motion to approve the rezone as submitted with the condition that the homes will have a minimum of 2,400 square feet heated space. Commissioner Gasaway seconded the motion. All voted in favor.

The Board considered a Planning Commission recommendation to approve a land use designation change from high density to commercial and rezone from B-2 to B-3 for a small business park with variance for a transitional buffer on 18.847 acres for Ronda Parks. The effected property is located on Ga. Hwy. 20 and is further identified on WC Tax Map C 9, Parcel 5. Chairman Little opened the public hearing on the matter. Ronda Parks came before the Board in support of the request. There was no one present in opposition. Chairman Little closed the public hearing on the matter. Commissioner Turner made a motion to deny the request. Commissioner Atha seconded the motion; voted and carried unanimously.

The Board considered a Planning Commission recommendation to approve a rezone from R-1 & A-1 to R-1 with Open Space Conservation Overlay for M & H Sub. Dev., LLC. The effected property, owned by M. Henderson Credit Shelter Trust, is located on Peters Cemetery Road and is further identified on

WC Tax Map C 166, Parcel 194. The purpose of the request is to rezone 79.637 acres for a single-family subdivision. Chairman Little opened the public hearing on the matter. Attorney Paul Rosenthal, representing the applicant, came before the Board in support of the rezone. There was no one present in opposition. Chairman Little closed the public hearing on the matter. Commissioner Robinson made a motion, seconded by Commissioner Turner, to approve the rezone. All voted in favor.

The Board considered a Planning Commission recommendation to deny a rezone from A-1 to R-1 with Open Space Conservation Overlay, but to approve instead a rezone from A-1 to A-2 with Open Space Conservation Overlay for MSP, LLC. The effected property, owned by Donald Briscoe, Carolyn Briscoe and Margie Bennett, is located on Old Monroe Madison Road and Harmony Church Road and is further identified on WC Tax Map C 182, Parcel 4. The purpose of the request is to rezone 66.41 acres for a single-family residential subdivision. Chairman Little opened the public hearing on the matter. David Archer, representing the Partnership purchasing the property, came before the Board in support of the rezone. He stated that the applicant is requesting a rezone to R-1 OSC for the purpose of getting 45 lots. He stated that the applicant feels it is appropriate for the area. Mr. Archer stated that the applicant is open to suggestions for a less dense zoning. He stated that A-2 with OSC Overlay would be appropriate. Tricia Dorn spoke in opposition to the rezone. Ms. Dorn presented a power point presentation showing pictures of the adjacent property and existing homes in the area. She stated that the proposed development would lower the property values and market appeal of the homes in the area. Ms. Dorn stated that the plat is vague and there is no landscape plan. Ms. Dorn presented a tax map marked with colored pins delineating the homes in the proposed development in relation to the existing homes in the area. Ms. Dorn stated that there is a cemetery located on the property and presented a deed indicating its location. Charna Parker of the Planning & Development Office stated that an archeological study would be required before development of the property can begin. Ms. Dorn asked those present at the meeting who opposed the rezone to stand. Chairman Little closed the public hearing on the matter. Commissioner Palmer made a motion to approve the rezone to A-2 with Open Space Conservation Overlay with the conditions that the houses will be a minimum of 2,000 sq. ft., that Leyland cypresses will be planted along the Camp property, no vinyl siding will be used, houses will be 3 sided brick, there will be a 100 ft. buffer around the development and there will be paved and guttered streets. Commissioner Turner seconded the motion. Commissioners Ayers, Turner, Gasaway and Palmer voted in favor of the motion. Commissioners Atha and Robinson opposed the motion. The motion carried 4-2.

Commissioner Palmer made a motion to table a decision on a Planning

Commission recommendation to deny a rezone request from A-1 & A-2 to R-1 with Open Space Conservation Overlay and instead approve a rezone to A-2 with Open Space Conservation Overlay on 46.86 acres located on Old Monroe Madison Road for Von Itter & McGee, Inc. until the June 6, 2006 meeting. Commissioner Gasaway seconded the motion; voted and carried unanimously.

The Board considered a Planning Commission recommendation to deny a request for alteration to zoning conditions on property located on Hickory Grove Church Road for Nathan Purvis with the exception of the 2 homes under construction. The effected property is owned by Hickory Grove, LLC and is further identified on WC Tax Map C 72, Parcel 35. Chairman Little opened the public hearing on the matter. Nathan Purvis came before the Board in support of the request. Mr. Purvis presented pictures of homes in the area and pictures of the type of homes he is proposing to build. Mr. Purvis asked the Board to alter the zoning condition placed on the property when it was rezoned for all brick or rock fronts on each residence to allow 25% of the houses facades to consist of hardy plank or cedar shake accents. Phil Little spoke in opposition to the request. He asked the Board to uphold the integrity of the initial rezone and to deny the request. Commissioner Turner reviewed the conditions placed by the Board on the rezone on June 1, 2004. In rebuttal, Mr. Purvis asked the Board to compromise only on the 36 lots he plans to develop. Chairman Little closed the public hearing on the matter. Commissioner Ayers made a motion to deny the alteration to the zoning conditions. Commissioner Turner seconded the motion; voted and carried unanimously.

The Board considered a Planning Commission recommendation to approve amendments to the Walton County Land Development Ordinance OA06030023 as per errata sheet dated 3-1-06. Charna Parker of the Planning & Development Office reviewed the proposed amendments with the Board. Commissioner Turner made a motion, seconded by Commissioner Ayers, to approve the amendments as presented. All voted in favor.

The Board discussed a proposed amendment to the Walton County Land Development Ordinance regarding residential occupancy limitations. No action was taken on the matter.

The Board considered the following annexation requests for the City of Monroe: Map C 100, Parcel 4, Map C 89, Parcels 2B, 2C & 3 and Map C 89, Parcel 17. Commissioner Atha made a motion to approve the annexations. Commissioner Palmer seconded the motion. Commissioners Ayers, Gasaway, Palmer, Atha and Robinson voted in favor of the motion. Commissioner Turner opposed the motion. The motion carried 5-1.

The Board considered a request from the City of Monroe to annex 154.264 acres on Hwy. 78 near the Alcovy River. Attorney Paul Rosenthal, representing the City of Monroe, stated that a landowner rather than the City of Monroe has requested the annexation and that the City of Monroe stands ready to work with the County to resolve any issues. Commissioner Turner made a motion to authorize the County Attorney to negotiate resolution with the City of Monroe for this annexation in conjunction with the County's engineers. Commissioner Gasaway seconded the motion; voted and carried unanimously.

At 7:35 p.m., the Board briefly recessed.

Chairman Little called the meeting back to order at 7:50 p.m.

The Board considered conditions requested by residents of Lower Tanners Bridge Road for acquisition of right of way. Several residents of Lower Tanners Bridge Road were present at the meeting both in support and opposed to paving the road. Chairman Little stated that the residents need to work out their issues before the Board considers any conditions for acquisition of right of way.

Financial Officer Christi Pickens presented contracts & budgeted purchases of \$2,500.00 along with an addition of a request from the Sheriff's Department for approval of the purchase of a cart for the Traffic Safety Program to be purchased with special revenue funds donated by the Walton Health Care Foundation in the amount of \$16,190.00. Commissioner Turner made a motion to approve contracts and budgeted purchases as presented, including the purchase of the cart for the Sheriff's Department. Commissioner Robinson seconded the motion. All voted in favor.

The Board considered bids received for the installation of a traffic signal at the intersection of Hwy. 78 and Mt. Vernon Road. Commissioner Robinson made a motion to accept the bid from Southeastern Traffic Signal. Commissioner Atha seconded the motion. All voted in favor.

The Board considered a request from the Sheriff's Department to apply for renewal of the HEAT grant. Commissioner Palmer made a motion to approve the request. Commissioner Turner seconded the motion; voted and carried unanimously.

Financial Officer Christi Pickens presented FY06 budget amendments for purchases reimbursed by Special Revenue Funds. Commissioner Turner made a motion to approve the amendments. Commissioner Gasaway seconded the motion. All voted in favor.

Ms. Pickens presented FY06 budget amendments for the FEMA Homeland Security Grant awarded to the Walton County Fire Department. Commissioner Turner made a motion, seconded by Commissioner Ayers, to approve the amendments. All voted in favor.

The Board considered the purchase and installation of lights for Felker Park. Financial Officer Christi Pickens presented information on the status of the Special Local Option Sales Tax revenues. Commissioner Turner made a motion to move ahead with the purchase and installation of lights for Felker Park and to finish out Felker Park with the condition that SPLOST funds will be fully restored for the unincorporated areas of Walton County and that the County move ahead aggressively to build park(s) in unincorporated Walton County. Commissioner Robinson seconded the motion; voted and carried unanimously.

Personnel Director Karen Fraser presented employee new hires and promotions for the Board's approval for the record. Commissioner Ayers made a motion, seconded by Commissioner Palmer, to approve employee new hires and promotions as presented. All voted in favor.

Commissioner Ayers made a motion, seconded by Commissioner Turner, to approve the following contracts and agreements, contingent upon review by the County Attorney:

Memorandums of Agreement between the Walton County Soil & Water Conservation District and the Town of Between and the City of Good Hope authorizing the County to conduct technical reviews and approval of erosion and sedimentation control plans that arise inside the town limits of Between and Good Hope; Software Support Agreement with Governmental Systems, Inc. for the Tax Commissioner's Office; renewal of a maintenance agreement with RISO, Inc. for the County's risograph printer; a proposal for risk management services from Insurance Review & Management, Inc.; a maintenance agreement with Alltel for the Government Building telephone system, a maintenance agreement with Georgia Trane for the HVAC system in the Government Building, a maintenance agreement with CANA Communications for the fire alarm system in the Government Building, a maintenance agreement with Lee Technologies for the Government Building's backup UPS system and a maintenance agreement with Accurate Fire Protection for the Government Building sprinkler system. Commissioners Ayers, Turner, Gasaway, Palmer and Atha voted in favor of the motion. Commissioner Robinson opposed the motion. The motion carried 5-1.

The Board discussed proposals received from Precision Planning, Inc. for intersection improvements on Bold Springs Road @ Carl Davis Road. Road Superintendent Steve Chandler gave an update on the intersection

improvement on East Hightower Trail at Willow Springs Church Road as well as other proposed intersection and road improvements. No action was taken.

The Board considered a quote received from Bruce Pendleton for dredging the pond located on Grady Smith Road. Count Attorney Kirby Atkinson stated that the County's engineer should review the project to determine the County's liability. Commissioner Ayers made a motion to have Precision Planning, Inc. make a recommendation as to the County's liability on the project. Commissioner Turner seconded the motion. All voted in favor.

The Board considered ratification of actions taken by the Walton County Water & Sewerage Authority at its April 25, 2006 meeting. Commissioner Turner made a motion to ratify actions taken by the Authority at its April 25, 2006 meeting and to approve renewal of the short-term loan for the Hennessey note until bonding is approved. Commissioner Ayers seconded the motion; voted and carried unanimously.

The Board considered changing the name of the Walton County Water & Sewerage Authority Water Department. No action was taken.

The Board discussed setting a date for a celebration for the 48th Brigade.

At 9:11 p.m., Commissioner Turner made a motion to enter into executive session to discuss personnel issues. Commissioner Atha seconded the motion. Commissioners Ayers, Turner, Gasaway, Palmer, Atha & Robinson voted in favor.

At 9:45 p.m., Commissioner Turner made a motion, seconded by Commissioner Gasaway, to return to regular session. Commissioners Ayers, Turner, Gasaway, Palmer, Atha & Robinson voted in favor.

At 9:46 p.m., Commissioner Turner made a motion to adjourn the meeting. Commissioner Palmer seconded the motion; voted and carried unanimously.

All documents of record for this meeting are on file in either the addendum book or auxiliary file under this meeting date.

KEVIN W. LITTLE, CHAIRMAN

LETA P. TALBIRD, CLERK

CLINTON AYERS, DISTRICT 1

MICHAEL TURNER, DISTRICT 2

VICKIE M. GASAWAY, DIST. 3

LAMAR PALMER, DISTRICT 4

GERALD ATHA, DISTRICT 5

JOHN ROBINSON, DISTRICT 6